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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,447	12/05/2001	Richard Krikor Yardumian	MOI-741	9648
5514	7590	11/24/2003	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			HUYNH, CONG LACT	
			ART UNIT	PAPER NUMBER
			2178	
DATE MAILED: 11/24/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/004,447	YARDUMIAN ET AL.
	Examiner Cong-Lac Huynh	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 December 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2,7,8</u> . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This action is responsive to communications: the application filed on 12/05/01, and the IDSs filed on 12/5/01 and 2/14/02.
2. Claims 1-20 are pending in the case. Claim 1 is the independent claim.

Claim Objections

3. Claim 8 is objected to because of the following informalities: the claim includes a typographical error within "An XML-based document according to claim 8, ..." since claim 8 can't depend on claim 8. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 2-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, which is dependent on claim 1, the claim recites that the XML-based document comprises page-directory text which includes the page-information text whereas claim 1 recites that the XML-based document includes text for plural pages as well as page-information text. Therefore, it is unclear which level in the XML document the page-information text belongs to, either it is included in the document as other plural

pages in the first level or included in the page-directory text in the second level since the page-directory text is considered as one of the plural pages in the first level.

Dependent claims 3-6 are rejected for fully incorporating the deficiencies of their base claim.

Also, regarding to claim 4, the claim recites that the directory-information text includes thumbnail-information text. Claim 5, which is dependent on claim 4, recites that the thumbnail-directory text includes the thumbnail-information text. Therefore, it is unclear whether the directory-information text includes the thumbnail-directory text since both include the thumbnail-information text.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Takaoka et al., (US Pat Application Publication No. US 2002/00593337 A1, 5/16/02, filed 9/10/01).

Regarding independent claim 1, Takaoda discloses that the XML-based document includes text for plural pages as well as page-information text, wherein the page-information text is delimited by page-information element types that define location in the document of the text for each of the plural pages (figures 2B, 3B, [0044], [0049], [0052]-[0054]).

Regarding claim 2, which is dependent on claim 1, Takaoka discloses the page-directory text which includes the page-information text, the page-directory text being delimited by page-directory element types which contain at least one page-information element for each of the plural pages (figure 2A, [0051]-[0054]: document summary includes the page-information text).

Regarding claim 3, which is dependent on claim 2, Takaoka discloses that the directory information text which includes the page-directory text, the directory-information text being delimited by the directory-information types that specify the number of the plural pages and which contains the page-directory elements ([0051]-[0052]).

Regarding claim 4, which is dependent on claim 3, Takaoka discloses the thumbnail-information text that defines a graphic for each of the plural pages, the thumbnail-information text being delimited by the thumbnail-information element types (figures 2B, [0052]).

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Regarding claim 5, which is dependent on claim 3, Takaoka discloses the thumbnail-directory text which includes the thumbnail-information text which is delimited by the thumbnail-directory element types ([0052], figure 2B).

Regarding claim 6, which is dependent on claim 3, Takaoka discloses the document-attribute text delimited by document-attribute element types and that specify attributes of the document (figure 2B, [0047], [0048]).

Regarding claim 7, which is dependent on claim 1, Takaoka discloses the document-resource text that specifies a location pointer in the XML-based document for resources used by pages in the XML-based document ([0059], [0060]).

Regarding claim 8, which is dependent on claim 7, Takaoka discloses a directory-table list element that includes the document-resource text and at least an indirect reference to the page-information text ([0060], [0055]-[0059]).

Regarding claim 9, which is dependent on claim 8, Takaoka discloses the document-directory-table text delimited by document-directory-table types and that provides location information of the directory-table-list text ([0056]: page index holds information that indicates the position of each page-bit-mapped portion of electronic source documents).

Regarding claim 10, which is dependent on claim 1, Takaoka discloses that the page-information text is included in document-directory information stored in the XML-based document (figure 2B, [0052]-[0058]).

Regarding claim 11, which is dependent on claim 10, Takaoka discloses that the document-directory information is stored at or near the end of the XML-based document (figures 2B and 3A: the page index is stored near the end of the XML-based document).

Regarding claim 12, which is dependent on claim 11, Takaoka discloses a directory-exists element delimited by directory-exists element types, the directory-exists elements directly or indirectly defining the location of the document-directory information, the directory-exists element being located at or near the beginning the XML-based document (figure 2B, [0048]: this portion holds the information of the source documents, located near the beginning of the XML document and indirectly defining the location of the document-directory information of the number of pages included in the document as in [0056]).

Regarding claim 13, which is dependent on claim 1, Takaoka discloses that the XML-based document is comprised of an SVG-based document ([0115], figure 4).

Regarding claim 14, which is dependent on claim 3, Takaoka discloses an authoring tool for an XML-based document according to any one of claims 1-13 ([0004]-[0010], [0060], [0066]).

Regarding claims 15-17, which are dependent on claim 14, Takaoka discloses that the authoring tool is comprised of a printer driver, a stand-alone application, and is a plug-in to another application program ([0148], [0150], 0154], [0155]).

Regarding claim 18, which is dependent on any one of claims 1 to 13, Takaoka discloses a viewer parsing the XML-based document based on a current page being viewed and based on the page-information text, so as to render and display the current page (figure 2B: the XML document including plural pages where each page is defined in the XML codes of the document implies that for the purpose of displaying, the Internet browser should parse the document for the current page or any selected page in the document).

Regarding claims 19 and 20, which are dependent on claim 18, Takaoka discloses that the viewer is comprised of a stand-alone application and the viewer is a plug-in to another application program (figure 2B: it was well known that the Internet browser for browsing the XML document, as mentioned in claim 18, can be a XML-compliant browser, which is a stand-alone application or a Netscape Explorer, which is a plug-in to another application program).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sundaresan et al. (US Pat No. 6,606,620 B1, 8/12/03, filed 7/24/00).

Chakraborty et al. (US Pat No. 6,542,911 B2, 4/1/03, filed 3/1/01).

Brown et al. (US Pat No. 5,887,133, 3/23/99, filed 1/15/97).

Bubie et al. (US Pat No. 6,453,078 B2, 9/17/02, filed 8/28/98).

Katariya et al. (US Pat No. 6,564,251 B2, 5/13/03, filed 12/3/98).

Chau et al. (US Pat No. 6,643,633 B2, 11/4/03, filed 1/31/02, priority 11/29/00).

Probets et al., Vector Graphics : Form PostScript and Flash to SVG, ACM November 2001, pages 135-143.

Pietriga et al., VXT : A Visual Approach to XML Transformations, ACM November 2001, pages 1-10.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh

11/13/03

Heather
HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
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